

Serial No. 10/673,027
60130-1894:02MRA0144**REMARKS**

Claims 1-4, 6-15 and 17 stand rejected under 35 USC 102(b) as being anticipated by O'Connor (WO 01/36772). O'Connor does not disclose an obstruction detection system wherein openable member position information is only provided to a direct detector. O'Connor discloses an obstacle detection system including a non-contact detection system 14 and a contact detection system 100 (Figure 9) that detect an obstacle before entrapment (page 22, lines 24-25). The non-contact system 14 prevents entrapment of the obstacle, and the contact system 100 provides a supplement obstacle detector. The sensitivity of the non-contact system 14 depends on the position of a closure in an aperture (page 23, lines 17-18). When the closure is in the lower 75% of the aperture, the non-contact system 14 is extremely sensitive, and a controller 102 solely relies on an output from the non-contact system 14. When the closure is in the final 25% of the aperture, information from the contact system 100 may be used with information from the non-contact system 14 to determine the presence of an obstacle (page 24, lines 25-28). Position information about the closure determines the operating parameters of both the contact system 14 and the non-contact system 100 after the obstruction is detected. The claimed invention recites that the openable member position information is only provided to the direct detector. The claimed invention is not anticipated, and Applicant respectfully requests that the rejection be withdrawn.

The Examiner also states that Figure 9 of O'Connor illustrates a controller 202 that receives and transmits position information to dynamically adapt an output signal from the non-contact system 14 and the contact based system 100. The controller 202 does not both receive and transmit position information to dynamically adapt each output signal. The double lines indicate the combined system can be provided with the capacity to dynamically adapt to variations in the background reflected radiation (page 26, lines 7-9), but this adjustment occurs after it is determined that no obstacle is present (page 26, lines 6-7), not before the obstacle is detected.

Claims 5 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Connor et al. in view of Breed et al. U.S. Patent No. 6,442,465. The Examiner admits that O'Connor does not disclose a light sensor that is a charge coupled device sensor. The Examiner

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states that Breed discloses a charge coupled device sensor, and it would be obvious to provide a charge coupled device sensor in O'Connor because of Breed. Applicant respectfully disagrees.

The claimed invention is not obvious. Claims 5 and 16 depend on patentable independent claims 1 and 14, respectively, and are allowable for the reasons set forth above. Adding Breed to O'Connor still does not render the claimed invention obvious because neither reference teaches an obstruction detection system wherein openable member position information is only provided to a direct detector. Therefore, the combination of the references does not disclose, suggest or teach the claimed invention.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited. Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

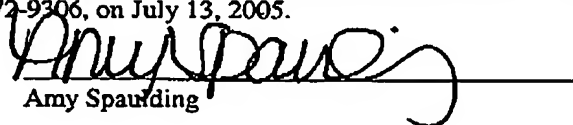


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Dated: July 13, 2005

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, (703) 872-9306, on July 13, 2005.


Amy Spaulding